

**CITY OF MIDLAND, TEXAS  
BRIEFING SESSION AGENDA  
Tuesday, June 26, 2007, 9:00 a.m.  
City Hall Conference Room  
300 North Loraine  
Midland, Texas**

---

These items, as well as any other items on the regular posted agenda for the City Council Meeting on this date, may be discussed:

- ❖1. Presentation of Employee Compensation Focus Group Recommendations.
- 2. Discuss provisions that are currently included in City contracts.

## AGENDA FOR CITY COUNCIL MEETING

Tuesday, June 26, 2007 – 10:00 a.m.

Council Chamber – City Hall

The Midland City Council agenda is posted for public notice at least 72 hours prior to the Tuesday meetings. All requests to be placed on the Council agenda by the public must be submitted to the City Manager, in writing, at least one week before the Council meetings. Such written requests must be in sufficient detail to identify the subject matter as well as the contact person who will represent the matter before the Council. The City Council reserves the right to not consider matters over which the City has no jurisdiction.

❖Item related to City Council goals

1. Invocation – Reverend Doug Lamb, Fannin Terrace Baptist Church
2. Pledge of Allegiance

### **MISCELLANEOUS**

3. Presentation of special events, organizations, individuals, or periods of time including, but not limited to:
  - a. Presentation of a Proclamation to the Midland Christian Track and Field Texas Association of Private and Parochial Schools (TAPPS) State Champions.
  - b. Presentation of Resolution of Commendation to retiring City employee Adrian Hamilton.

### **CONSENT AGENDA**

4. Consider a motion approving minutes of the June 12, 2007 City Council Meeting.

5. Consider a resolution authorizing the purchase of AC-15-XP with latex from Semmaterials of Austin, Texas, utilizing the State of Texas Department of Transportation blanket order.
6. Consider a resolution authorizing the purchase of aggregate for the chip seal of City streets from Amarillo Road Company.
7. Consider a resolution authorizing the negotiation of a professional services agreement with Parkhill, Smith & Cooper, Incorporated, of Midland, Texas, for design and construction of an expansion of Fire Station #3.
8. Consider a resolution authorizing the selection of RCC Consultants, Incorporated, for the design and implementation management of a city-wide wireless network and the negotiation of a professional services agreement with RCC Consultants, Incorporated, for the procurement of said professional services.
9. Consider a resolution authorizing the acceptance of a donation from the “Bad Boy Blast” fund-raising project sponsored by Halliburton and Conoco-Phillips; and appropriating funds therefor.
10. Consider a resolution authorizing the execution of a public improvement development agreement with QRE, L.P., for Quail Ridge Addition, Section 2, City and County of Midland, Texas; appropriating and allocating funds therefor; said agreement being authorized by Section 395.081 of the Texas Local Government Code.
11. Consider a resolution authorizing the acceptance of a utility easement located in Lot 1, Block 6, Westridge Park Addition, Section 6, City and County of Midland, Texas; and ordering recordation by the City Secretary.

12. Consider a resolution authorizing the acceptance of a utility easement located in Lot 1A, Block 6, Westridge Park Addition, Section 9, City and County of Midland, Texas; and ordering recordation by the City Secretary.
13. Consider a resolution authorizing a reallocation of certain Community Development Block Grant Funds from previous program years to the Community Development Block Grant Fund Program Year for 2007-2008.
- ❖14. Consider a motion approving the 2006 Downtown Midland Tax Increment Reinvestment Zone No. 1 Annual Report.
- ❖15. Consider a resolution authorizing an amendment to the existing professional services agreement with Arcadis U.S., Incorporated, regarding the testing of water and the drilling of monitor wells at the City's T-Bar Ranch Water Well Field; and appropriating funds therefor.
16. Consider a resolution authorizing the Office of the City Attorney to file all documents, employ all necessary experts and make all necessary appearances to represent the City of Midland in a lawsuit styled, Midland Central Appraisal District v. Jose Baltier, Elizabeth Baltier, et al, in the 142nd Judicial District Court, Midland County, Texas, Cause No. TX 10831.
- ❖17. Consider a resolution authorizing the Interim City Manager to enter into a five (5) year interlocal agreement with the Midland Independent School District regarding reimbursement to the Midland Independent School District for the costs of materials used to (1) drill private water wells and construct water pumping and storage equipment and (2) construct automated quality underground irrigation systems.
18. Consider a motion related to proposed Pavilion Park Addition, Section 7, to defer water, sewer and paving with curb and gutter, and to waive the associated public improvement guarantee.

19. Consider a resolution authorizing the execution of a clinical affiliation agreement with the Texas Engineering Extension Service regarding the Midland Fire Department.

### **SECOND READINGS**

20. Consider an ordinance on second reading on a request by CEI Engineering for a zone change from PD, Planned District for a shopping center, to an Amended Planned District for a shopping center on Lot 1, Block 45, Fairmont Park Addition, Section 10, City and County of Midland, Texas. (Generally located on the west side of N. Midland Drive, approximately 1,000 feet south of W. Loop 250 North.)
21. Consider an ordinance on second reading on a request by West Company of Midland, Inc. / Quail Ridge for a zone change from AE, Agriculture Estate District, to PD, Planned District for a Housing Development on of Lot 1, Block 1, Quail Ridge Addition; a 8.073-acre portion of Tract 25, Parker Acres; and a 5.588-acre tract of land out of Section 42, Block 38, T-1-S, T&P RR Co. Survey, City of Midland, Midland County, Texas. (Generally located on the northeast corner of the intersection of Business 20 and Chukar Lane.)
22. Consider an ordinance on second reading amending the Fire District so as to delete therefrom the east half of Block 162, east half of Block 141, and all of Blocks 139 and 140, Southern Addition, City and County of Midland, Texas; directing the building official to amend the Fire District Map; containing a cumulative clause; and containing a savings and severability clause.

### **PUBLIC HEARINGS**

23. At 11:00 a.m. hold a public hearing and consider an ordinance on a request by West Company of Midland/Santa Rosa for a Planned District Site Plan Review on a 15.33-acre tract of land out of Section 4, Block "X", H.P. Hilliard Survey, Midland County, Texas. (Generally located near the northwest corner of the intersection of W. Loop 250 North and Whitman Drive.)
24. At 11:03 a.m. hold a public hearing and consider an ordinance on a request by Claydesta, L.P. for a zone change from PD, Planned District for an Office Center, to a Planned District for a Shopping Center on a 3.945-acre portion of Lot 1, Block 14, ClayDesta Plaza, Section 2 and on a 8.055-acre tract of land out of Section 14, Block 39, T-1-S, T&P RR Company Survey, Midland County, Texas.

(Generally located on the northwest corner of the intersection of N. Big Spring Street and Veterans Airpark Lane.)

25. At 11:06 a.m. hold a public hearing and consider an ordinance on a request by The Moss Partnership for an Amended Planned District Site Plan on a 21.88-acre tract of land out of Section 9, Block "X", H. P. Hilliard Survey, Midland County, Texas. (Generally located on the east side of the northward extension of N. Midkiff Road, approximately 1,000 feet north of Mockingbird Lane.)
26. At 11:09 a.m. hold a public hearing and consider an ordinance on a request by Clifford Chalmers & Louis Dunnam for a zone change from AE, Agriculture Estate District to PD, Planned District for an Industrial District on a 7.00-acre tract of land out of Section 11, Block "X", H. P. Hilliard Survey, and on Lot 3, Block 17, 349 Ranch Estates; and from LR-2, Local Retail District, to PD, Planned District for an Industrial District on Lots 1 and 2, Block 17, 349 Ranch Estates, City of Midland, Midland County, Texas. (Generally located on both the west and the east sides of State Hwy 349 north of Arapahoe.)
27. At 7:00 p.m. hold a public hearing on the 2007/2008 Community Development Block Grant Program and consider a resolution authorizing the adoption of the City of Midland 2007/2008 Action Plan to the City of Midland Consolidated Plan for Community Development and Housing Funds for Fiscal Years 2005 through 2010; and authorizing the execution of an application for Community Development Block Grant funds.

#### **DEVELOPMENT SERVICES**

28. Consider an ordinance vacating and abandoning the 480 square foot portion of alley right-of-way adjoining Lot 13, Block 4B, Grassland Estates Addition, Section 3, and Lot 14A, Block 4B, Grassland Estates, Section 13, City and County of Midland, Texas; adopting the appraisal by the Interim City Manager of \$720.00; retaining a 10-foot wide general utility easement; and ordering recordation by the City Secretary.
29. Consider a motion approving a proposed preliminary plat of North Park, Section 12 being a replat of Lot 3, Block 4, of a 0.59-acre portion of the right-of-way of Faulkner Drive, North Park, Section 10; a to be vacated 0.17-acre portion of the

right-of-way of Faulkner Drive, and a 28.52-acre tract of land out of Section 4, Block "X", H. P. Hilliard Survey, City of Midland, Midland County, Texas. (Generally located on the northwest corner of the intersection of W. Loop 250 North and Whitman Drive.)

### **MISCELLANEOUS**

30. Consider an ordinance amending Title XIII, "Airports", Chapter 5, "Prohibited and Regulated Parking Zones", of the City Code of Midland, Texas; containing a cumulative clause; containing a savings and severability clause; providing for a maximum penalty or fine of five hundred dollars (\$500.00); and ordering publication.
31. Consider a resolution appropriating funds for the Marian Blakemore Planetarium Renovation and Expansion Project.
32. Consider a resolution approving the termination of Rick Menchaca's employment with the City of Midland effective August 31, 2007, in accordance with the City Manager's At-Will Employment Agreement, the City of Midland Personnel Policies and the Resolutions and Ordinances of the City; Providing sixty (60) days notice of the effective date of said termination in accordance with Rick Menchaca's At-Will Employment Agreement with the City of Midland; Authorizing the payment of funds to Rick Menchaca pursuant to his At-Will Employment Agreement, the City's Personnel Policies and Resolutions and Ordinances of the City.
33. Consider a motion making appointments to various Boards and Commissions.
34. Recess to the conference room for lunch.
35. Pursuant to Texas Government Code §551.101, the Council will hold an Executive Session which is closed to the public to discuss the following matters as permitted under the following Texas Government Code Sections:

### **Personnel Matters, Section 551.074**

To deliberate the employment, evaluation, reassignment, duties, discipline, and dismissal of the City Manager.

**Consultation with the City Attorney, Section 551.071u**

To discuss with the City Attorney a proposed settlement offer and settlement agreement regarding the City Manager.

To discuss with the City Attorney contemplated litigation involving the City Manager.

Respectfully submitted,

Tommy T. Hudson  
Interim City Manager